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ATTORNEYS FOR PLAINTIFF  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

<b>UNITED STATES OF AMERICA,</b>	<b>CR 08-98-BLG- RFC</b>
<b>Plaintiff,</b>	<b><u>INDICTMENT</u></b>
<b>vs.</b>	<b>MAILING OBSCENE MATTER</b>
<b>BARRY GOLDMAN,</b>	<b>Title 18 U.S.C. § 1461 (Counts I, II, &amp; III)</b>
<b><i>dba Torture Portal,</i></b>	<b>(Penalty: Five years imprisonment, \$250,000</b>
<b><i>dba Masters of Pain,</i></b>	<b>fine, and three years supervised release )</b>
<b><i>dba Bacchus Studios,</i></b>	<b>FORFEITURE</b>
<b>Defendant.</b>	<b>Title 18 U.S.C. § 1467</b>

THE GRAND JURY CHARGES:

COUNT I

That on or about April 3, 2008, the defendant, BARRY GOLDMAN, dba Torture Portal, Masters of Pain, and Bacchus Studios, did knowingly use the United States mail to mail and deliver to a location, at Billings, in the State and District of Montana, a DVD-movie containing obscene matter, identified as *Torture Of A Porn Store Girl*, in violation of 18 U.S.C. § 1461.

COUNT II

That on or about April 3, 2008, the defendant, BARRY GOLDMAN, dba Torture Portal, Masters of Pain, and Bacchus Studios, did knowingly use the United States mail to mail and deliver to a location, at Billings, in the State and District of Montana, a DVD-movie containing obscene matter, identified as *Pregnant and Willing*, in violation of 18 U.S.C. § 1461.

COUNT III

That on or about April 3, 2008, the defendant, BARRY GOLDMAN, dba Torture Portal, Masters of Pain, and Bacchus Studios, did knowingly use the United States mail to mail and deliver to a location, at Billings, in the State and District of Montana, a DVD-movie containing obscene matter, identified as *Defiant Crista Submits*, in violation of 18 U.S.C. § 1461.

FORFEITURE ALLEGATION

1. The allegations of Counts I through III of this indictment are re-alleged and incorporated herein by reference as if fully restated here for the purpose of alleging forfeiture pursuant to the provisions of 18 U.S.C. § 1467.

2. As a result of the violations of 18 U.S.C. § 1461, described in Counts I through III of this indictment, defendant BARRY GOLDMAN, dba Torture Portal, Masters of Pain, and Bacchus Studios, shall forfeit to the United States, pursuant to 18 U.S.C. § 1467, all obscene material produced, transported, mailed, shipped and received in connection with the offense charged in Counts I through III of this indictment, and all property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense(s), and all property, real or personal, used or intended to be used to commit or to promote the commission of such offense(s).

3. The interests of defendant subject to forfeiture pursuant to 18 U.S.C. § 1467 include, but are not limited to, the following items:

- (a) All copies of "*Torture Of A Porn Store Girl*," "*Pregnant and Willing*," and "*Defiant Crista Submits*;"
- (b) Gross profits from all sales of "*Torture Of A Porn Store Girl*," "*Pregnant and Willing*," and "*Defiant Crista Submits*;"
- (c) Ownership and rights of BARRY GOLDMAN to the domain name, websites, or e-mail addresses associated with the sale or distribution of "*Torture Of A Porn Store Girl*," "*Pregnant and Willing*," and "*Defiant Crista Submits*."

4. To the extent that the property described above as being subject to forfeiture pursuant to 18 U.S.C. § 1467, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred to, sold to, or deposited with a third person;

- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property that cannot be subdivided without difficulty,

the United States shall be entitled to forfeiture of substitute property under the provisions of 18 U.S.C. § 1467(n), and the court shall order the forfeiture of any other property of the defendant up to the value of any property described in paragraphs (1) through (3) above.

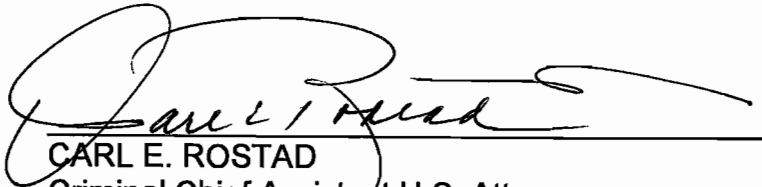
5. The above-named Defendant is liable for the forfeiture obligations as alleged above.

A TRUE BILL.

  
FOREPERSON



WILLIAM W. MERCER  
United States Attorney  
Attorney for Plaintiff



CARL E. ROSTAD  
Criminal Chief Assistant U.S. Attorney  
Attorney for Plaintiff

Crim. Summons ☒  
Warrant ☐  
Bail ☐

*Return 9/16/08 @ 2:00 p.m.  
before Mag. Ostby*

# United States District Court

DISTRICT OF MONTANA, BILLINGS DIVISION

UNITED STATES OF AMERICA

VS.

BARRY GOLDMAN

38 Park Street - Jersey City, NJ 07304 - or -  
20610 N.E. 7<sup>th</sup> Court - Miami, FL

## SUMMONS IN A CRIMINAL CASE

Case Number: CR-08-98-BLG-RFC

YOU ARE HEREBY SUMMONED to appear before the United States District Court at the place, date and time set forth below.


<b>PLACE:</b>	U.S. DISTRICT COURT U.S. COURTHOUSE, COURTROOM III 316 NORTH 26TH STREET BILLINGS, MT 59101	<b>DATE:</b> <b>September 16, 2008</b>
<b>BEFORE:</b>	HONORABLE CAROLYN S OSTBY UNITED STATES MAGISTRATE JUDGE	<b>TIME:</b> <b>2:00 p.m.</b>

To answer the Indictment charging you with a violation of Title 18, United States Code, Section 1461; and Title 18, United States Code, Section 1467.

Brief description of offense: MAILING OBSCENE MATTER; and FORFEITURE.

CERTIFIED COPY OF CHARGING DOCUMENT ATTACHED.

Assigned to: AUSA MARCIA HURD and AUSA BRENT D. WARD

  
Signature of Issuing Officer

P. CLUFF, DEPUTY CLERK

Name and Title of Issuing Officer



Date: August 21, 2008

<b>RETURN</b>	
THIS SUMMONS WAS SERVED ON THE ABOVE-NAMED DEFENDANT AT:	
DATE OF SERVICE:	<b>Dwight MacKay</b> <b>UNITED STATES</b> <b>MARSHAL</b>
RETURNED ON:	
BY: <span style="float: right;">DEPUTY U.S. MARSHAL</span>	